

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW HAMPSHIRE**

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**GENERAL ORDER RE ADMINISTRATIVE ORDERS  
ISSUED PURSUANT TO LBR 9029-2**

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WHEREAS, by General Order dated and filed on April 1, 1977, this Court adopted the Local Rules of the United States Bankruptcy Court for the District of New Hampshire, said rules hereinafter referred to as the Local Bankruptcy Rules; and

WHEREAS, Local Bankruptcy Rule 9029-2 authorizes this Court to adopt administrative orders for the conduct and disposition of proceedings before it and, from time to time, to alter and amend the same, provided that such administrative orders are not inconsistent with the provisions of the United States Bankruptcy Code, Federal Rules of Bankruptcy Procedure or Local Bankruptcy Rules; and

WHEREAS, pursuant to the authority granted this Court by Local Bankruptcy Rule 9029-2, and for the purpose of organizing, clarifying and supplementing the administrative orders issued by the Court prior to the date of this Order; it is hereby

ORDERED that effective for all hearings scheduled on or after February 14, 2005, the Court hereby suspends compliance with LBR 9074-1, Telephonic Appearances and Hearings; and

ORDERED that the annexed "Administrative Order 9074-1 of the United States Bankruptcy Court for the District of New Hampshire" is hereby prescribed and promulgated pursuant to Local Bankruptcy Rule 9029-2 and shall take effect for all hearings scheduled on or after February 14, 2005, and govern all bankruptcy cases and proceedings hereafter commenced and, insofar as just and practicable, all bankruptcy cases and proceedings currently pending in this Court; and it is further

ORDERED that the Clerk shall post a copy of this Order in the Clerk's Office, on the Court's web site, and shall forthwith cause a notice regarding the adoption of this Administrative Order to be published in the *New Hampshire Bar News* which indicates that copies of this administrative order are available upon request.

DATED and FILED this 13th day of January, 2005.

BY THE COURT:

/s/ Mark W. Vaughn  
Mark W. Vaughn  
Chief Judge

/s/ J. Michael Deasy  
J. Michael Deasy  
Bankruptcy Judge

**TELEPHONIC APPEARANCES**

(Adopted pursuant to Order dated January 13, 2005)

The United States Bankruptcy Court for the District of New Hampshire has adopted a new procedure for telephonic appearances.

Effective for all hearings scheduled on or after February 14, 2005, parties seeking to participate in hearings by telephonic appearance must utilize the services of CourtCall, an independent conference call company.

No telephonic appearance will be allowed unless it is made through CourtCall pursuant to the procedures set forth in Section II.

**Under no circumstances may any participant record or broadcast the proceedings conducted by the Bankruptcy Court.**

I. POLICY GOVERNING TELEPHONIC APPEARANCES

1. Telephonic appearances are allowed in all matters before the Court except the following:
  - A. Trials and evidentiary hearings — all counsel and all witnesses must appear in person;
  - B. Chapter 11 status conferences — debtor and debtor's counsel must appear in person, other parties in interest may appear telephonically;
  - C. Chapter 11 confirmation hearings — debtor, debtor's counsel, and all objecting parties must appear in person;
  - D. Hearings on reaffirmation agreements — debtor must appear in person;
  - E. Pretrial conferences — all counsel and *pro se* parties must appear in person; and
  - F. Any matter designated by the Court as one requiring a personal appearance.
2. A party may participate by telephonic appearance in more than one case on a list. Any party solely interested in monitoring the Court's proceedings may participate by telephonic appearance in "listen only" mode.
3. If an individual schedules a telephonic appearance and then fails to respond to the call of a matter on the calendar, the Court may pass the matter or may treat the failure to respond as a failure to appear. Individuals making use of the conference call service are cautioned that they do so at their own risk.
4. To ensure the quality of the record, the use of car phones, cellular phones, speaker phones or phones in other public places is prohibited. Each time you speak, you must identify yourself for the record. Do not place the call on hold at any time. When the judge informs the participants that the hearing is completed, then you may disconnect. If you will be appearing by telephone in a later case on the same list, you may stay on the call and wait for your next case to be called.

## II. SCHEDULING A TELEPHONIC APPEARANCE

1. Participants must notify CourtCall toll free by telephone (866-582-6878) or by facsimile (866-533-2946) no later than 3 p.m. EST of the business day prior to the hearing. Permission to appear telephonically on shorter notice must be obtained from the Court by contacting Maureen Shambo at 603-222-2685 for cases assigned to Judge Vaughn or Christine Comer at 603-222-2644 for cases assigned to Judge Deasy and will only be granted if just cause exists.
2. Participants must provide CourtCall with the following information:
  - A. Case name and number
  - B. Name of judge
  - C. Hearing date and time
  - D. Name, address and telephone number of the participant
  - E. Name of the party represented by the participant
  - F. Matter on which the participant wishes to be heard or whether the participant intends to monitor the proceeding in “listen only” mode.
3. Participants will receive fax confirmation and instructions for telephonic appearance from CourtCall. It is the participant’s responsibility to dial into the call not later than ten minutes prior to the scheduled hearing.
4. Any questions about telephonic appearances should be directed to CourtCall at 866-582-6878.
5. Information about CourtCall’s policies may be obtained at [www.courtcall.com](http://www.courtcall.com) or by calling 866-582-6878.

## III. FEES

The fee for the telephonic appearance is fixed by CourtCall, depending on the length of time the participant is on the call, regardless of the number of cases the participant appears in during a call or whether the participant is actually heard by the Bankruptcy Court or is in “listen only” mode. Each participant will be charged or billed an initial fee of \$50 at the time of the reservation with CourtCall, with appropriate increments, if any, to be charged or billed based upon the Fee Rate, which rates may be amended from time to time without requiring amendment of this Administrative Order.

The current Fee Rate for telephonic appearances through CourtCall is as follows:

<u>Call Length</u>	<u>Fee</u>
0 - 90 minutes	\$ 50
91 - 180 minutes	\$ 80
181 - 270 minutes	\$120
271 - 360 minutes	\$160
361 or more minutes	\$ 40 each additional 90 minute increment

There are no subscription fees, and no special equipment is required to use the service.